

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

COPPS PHARMACY #119	FINAL DECISION AND ORDER
RESPONDENT.	99 PHM 68
	LS0004111PHM

The parties to this action for the purposes of §227.53, Wis. Stats., are:

*Copps Pharmacy #119
3310 E. Hamilton Ave.
Eau Claire, WI 54701*

*Wisconsin Pharmacy Examining Board
P.O. Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Copps Pharmacy #119 is and was at all times relevant to the facts set forth herein a community pharmacy licensed in the State of Wisconsin pursuant to license #7853.
2. On 11/23/1999, a DOE investigator observed an unlicensed person transfer a prescription to a patient without consultation from a pharmacist. A card was attached to the prescription's bag and the patient was instructed if he had any questions to call the number on the card and ask for the pharmacist. The only pharmacist on duty at the time had left the pharmacy on a short errand without closing the pharmacy's professional area. The unlicensed person handled the entire transaction while the pharmacist was out of the pharmacy.

CONCLUSIONS OF LAW

- A. The Wisconsin Pharmacy Examining Board has jurisdiction to act in this matter pursuant to §450.10, Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.
- B. The conduct described in paragraph 2, above, violated §450.09(2), Wis. Stats., and § Phar 7.01(1)(e) and (em) Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, the respondent shall FORFEIT \$250, to be paid within 60 days, for its unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall pay COSTS in this matter in the amount of \$300, within 30 days of this order.

IT IS FURTHER ORDERED, that pursuant to §227.51(3), Wis. Stats., and ch. RL 6, Wis. Adm. Code, if the Board determines that there is probable cause to believe that respondent has violated any term of this Final Decision and Order, the Board may order that the license of respondent be summarily suspended pending investigation of the alleged violation.

Dated April 11, 2000.

WISCONSIN PHARMACY EXAMINING BOARD, by:

s/John Bohlmann, R.PH.
a member of the board